



07-01-02

2621

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Robert K. Rowe et al.

Serial No.: 09/832,534

Examiner: B. Werner

Filed: April 11, 2001

Group Art Unit: 2621

For: APPARATUS AND METHOD OF BIOMETRIC IDENTIFICATION OR
VERIFICATION OF INDIVIDUALS USING OPTICAL SPECTROSCOPY

Docket No.: 1023.1110102

TRANSMITTAL SHEETAssistant Commissioner for Patents
Washington, D.C. 20231**RECEIVED**

JUL 09 2002

Technology Center 2600

Sir:

CERTIFICATE UNDER 37 C.F.R. 1.10: The undersigned hereby certifies that this paper or papers, as described herein, are being deposited in the United States Postal Service, "Express Mail Post Office to Addressee" having an Express Mail mailing label number of: EL855120720US, in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C., 20231 on this 28th day of June, 2001.

By

Kathleen L. Boekley

We are transmitting herewith the attached:

- [XX] Amendment
[XX] No additional fee required
[] The fee has been calculated as shown:

CLAIMS AS AMENDED							
	(3)	(4)	(5)	SMALL ENTITY		OTHER	
	REMAINING CLAIMS	HIGHEST PAID	EXTRA	RATE	ADD'L FEE	RATE	ADD'L FEE
TOTAL CLAIMS	-	=		X9=	\$	X18=	\$
INDEPEN- DENT CLAIMS	-	=		X40=	\$	X80=	\$
() FIRST MULTIPLE DEPENDENT CLAIM				+135=	\$	+270=	\$
TOTAL				\$		\$	

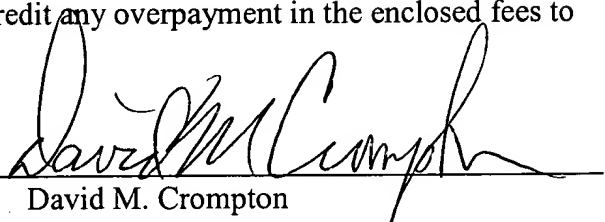
[] A check in the amount of \$_____ is enclosed.

[] Small entity status of this application under 37 C.F.R. 1.9 and 1.27 has been established by verified statement previously submitted.

[XX] Other: TWO SHEETS OF NEW DRAWINGS.

[XXXX] Please charge any deficiencies or credit any overpayment in the enclosed fees to Deposit Account No. 50-0413.

By:


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S/N 09/832,534

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: ROBERT K. ROWE ET AL. Examiner: WERNER, BRIAN
Serial No.: 09/832,534 Group Art Unit: 2621
Filed: April 11, 2001 Docket No.: 1023.1110102
Confirmation No. 3295
Title: APPARATUS AND METHOD OF BIOMETRIC IDENTIFICATION OR
VERIFICATION OF INDIVIDUALS USING OPTICAL SPECTROSCOPY

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By

Kathleen L. Boekley

Kathleen L. Boekley

AMENDMENT AND RESPONSE

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

This paper is submitted in response to the Office Action mailed April 5, 2002. Applicants submit that the following amendments and remarks place the application in condition for allowance and respectfully request withdrawal of the rejections.

AMENDMENTS

In the Specification

Please make the following amendments to the specification as follows:

Please replace the paragraph spanning lines 16-23 on page 5 and lines 1-5 of page 6 of the application with the following:

-- Improved methods and apparatus for gathering and analyzing a near-infrared tissue spectrum for an analyte concentration are disclosed in commonly